GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – RWS&S Department – Allegations of misuse of funds of Rs.10.00 crores in execution of CPWS Scheme to Kolimigundla and other habitations in Kurnool District - Disciplinary proceedings against Sri M. Hussain Reddy the then E.E., now retired from the service under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule-9 of A.P. Revised Pension Rules, 1980 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No.987 **Dated:15.10.2015**

Read:

G.O.Ms.No.99 Panchayat Raj & Rural Development (Vig.II)Dept., Dated:15.10.2015.

ORDER:

In pursuance of the sanction accorded under sub-clause (i) of clause (b) of Sub-rule -2 of Rule-9 of Andhra Pradesh Revised Pension Rules, 1980, in the G.O. read above, for initiating disciplinary proceedings against Sri M. Hussain Reddy, the then Executive Engineer, Rural Water Supply & Sanitation and now retired from service, it is proposed to hold an enquiry against him in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II and III).

3. Sri M. Hussain Reddy, the then Executive Engineer, Rural Water Supply & Sanitation and now retired from service is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri M. Hussain Reddy, the then Executive Engineer, Rural Water Supply & Sanitation and now retired from service is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M. Hussain Reddy, the then Executive Engineer, Rural Water Supply & Sanitation and now retired from service is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri M. Hussain Reddy, the then Executive Engineer, Rural Water Supply & Sanitation and now retired from service is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri M. Hussain Reddy, the then Executive Engineer, Rural Water Supply & Sanitation and now retired from service is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Hussain Reddy, the then Executive Engineer, Rural Water Supply & Sanitation and now retired from the service through the Engineer-in-Chief, Rural Water Supply & Sanitation, Andhra Pradesh, Hyderabad.
The Engineer-in-Chief, Rural Water Supply & Sanitation, Andhra Pradesh, Hyderabad (in duplicate with a request to serve and return the dated acknowledgement copy).
Copy to:
The General Administration (Vigilance & Enforcement) Department, Andhra Pradesh, BRKR Buildings, Hyderabad.
The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.
The Panchayat Raj & Rural Development (Establishment.I) Department.
S.f./S.c.

// FORWARDED : BY : ORDER //

SECTION OFFICER

ANNEXURE –I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI M. HUSSAIN REDDY THE THEN EXECUTIVE ENGINEER, RURAL WATER SUPPLY & SANITATION AND NOW RETIRED FROM SERVICE

ARTICLE OF CHARGE:

Sri M. Hussain Reddy, the then Executive Engineer, Rural Water Supply & Sanitation, and now retired from service, while working as Executive Engineer, Rural Water Supply & Sanitation, has committed grave irregularities in the work ”CPWS Scheme to Kolimigundla and other habitations in Kurnool District”, in as much as:-

(i) He accepted and recommended payment for 2 Nos.100 HP vertical submersible pump sets whose efficiency is far less than the vertical turbine pump sets for the given HP rating against the specified 2 Nos. of 100 HP Vertical turbine pump sets. The two pump sets supplied were not in working condition, causing a wrongful loss to Government to a tune of Rs.38.00 lakhs.

(ii) He recommended payment for the estimated depth though the HDPE pipeline was executed with lesser depth than the specified depth, causing a failure of pipe lines and wrongful loss to the Government to a tune of Rs.24,506/-.

BASIS OF THE CHARGE:

The General Administration (Vigilance & Enforcement) Department enquired into the allegation of misuse of funds in execution of CPWS Scheme to Kolimigundla and other habitations in Kurnool District and furnished a report vide Vigilance Report No.12 (C.No.423/V&E/E2/2013), dt:3.9.2014. During the enquiry, the V&E Department has found as follows:-

i. Due to change in SSR, price escalation and tender premium the scheme is restricted to 13 villages against proposed 30 villages in DPR. Water is not being regularly supplied to most of the villages in the Kolimigundla segment due to leakage of pipe lines and insufficient pumping capacity of the working pump sets.

ii. The agreement condition specified procurement & erection of two (2) Nos. of vertical turbine pump sets but the Contracting agency procured 2Nos. vertical type submersible pump sets whose efficiency is far less than the vertical turbine pump sets for the given HP rating. The procured vertical type submersible pump sets (2Nos of 100HP each) were kept idle and unused condition in the raw water pump room causing a wrongful loss to Government to a tune of Rs, 38.00 lakhs. Only one 30HP submersible pump set was utilized for raw water pumping up to Feb’2013, which is insufficient to cater the need of the 13 villages.

iii. The pipe line trenches of HDPE & PVC pipes were verified at random and observed that, the HDPE Pipe line was laid at very low depths and found more leakages along the pipe line which results in wastage of water and not ensuring water supply to the villages regularly. The average depth of the HDPE pipe line is 0.75m against 1.20m specified. An amount of Rs. 24,506/- is to be recovered from the contractor towards deficit depth of the trench.

It was further observed during the verification by the General Administration (Vigilance & Enforcement) Department that the rates of pipes were arrived at higher rate than the estimated rates there by making an excess payment of Rs.29,86,330/- towards price variation.

Thus Sri M. Hussain Reddy, the then Executive Engineer, Rural Water Supply & Sanitation, is responsible for accepting and recommending payment for 2 Nos. 100HP vertical submersible pump sets with less efficiency

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instead of vertical turbine pump sets as mentioned in the agreement. He has also recommended payment for the estimated depth allowed though the HDPE pipe line was executed with lesser depth than the specified depth causing a failure of pipe lines and wrongful loss to the Government to a tune of Rs. 24,506/- .

Being a Government servant, he failed to maintain absolute integrity and devotion to duty and shown gross negligence towards his legitimate duties, in violation of Rule-3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Hence the charge.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –II

LIST OF DOCUMENTS BY WHICH THE ARTICLE CHARGES FRAMED AGAINST SRI. M. HUSSAIN REDDY, THE THEN EXECUTIVE ENGINEER, RURAL WATER SUPPLY & SANITATION AND NOW RETIRED FROM SERVICE AS SUPERINTENDING ENGINEER ARE PROPOSED TO BE SUSTAINED

Vigilance Report No.12 (C.No.423/V&E/E2/2013), dt.03.09.2014 of General Administration (Vigilance & Enforcement) Department.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –III

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI. M. HUSSAIN REDDY, THE THEN EXECUTIVE ENGINEER, RURAL WATER SUPPLY & SANITATION AND NOW RETIRED FROM SERVICE AS SUPERINTENDING ENGINEER ARE PROPOSED TO BE SUSTAINED

-Nil-

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER